



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

May 24, 2005

Mr. Johnny McLean
Little Rock District
US Army Corps of Engineers
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. McLean:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) for the Arkansas River Navigation Study. The DEIS evaluates the potential environmental impacts associated with the proposed maintenance and improvements to the navigation channel for the McClellan-Kerr Arkansas River Navigation System, while maintaining the other project purposes which include: flood control, recreation, hydropower, water supply, and fish and wildlife.

EPA rates the DEIS as "EC-2," i.e., EPA has "**Environmental Concerns and Requests Additional Information in the Final EIS** (FEIS)." EPA has identified environmental concerns and informational needs to be included in the FEIS to complement and to more fully insure compliance with the requirements of NEPA and the CEQ regulations. Areas requiring additional information or clarification include: wetland impacts, aquatic resource impacts, and mitigation.

Our classification will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. Detailed comments are enclosed with this letter, which more clearly identify our concerns and the informational needs requested for incorporation into the FEIS. If you have any questions, please contact Mike Jansky of my staff at 214-665-7451 or e-mail him at jansky.michael@epa.gov for assistance.

EPA appreciates the opportunity to review the DEIS. Please send our office five copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20460.

Sincerely yours,

/s/

Rhonda M. Smith, Acting Chief

Office of Planning and
Coordination

Enclosure

**DETAILED COMMENTS
ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
FOR THE
ARKANSAS RIVER STUDY
ARKANSAS AND OKLAHOMA**

BACKGROUND

The proposed action is to maintain and improve the navigation channel in order to enhance commercial navigation on the McClellan-Kerr Arkansas Navigation System. Implementation of the proposed action would expect to result in beneficial as well as adverse impacts to the environment. The preferred alternative, Alternative E, was selected based on a evaluation of beneficial and adverse impacts associated with implementing any of the alternatives considered. The Army's preferred plan provides for a balance between benefits and impacts that result in a project with minimal adverse impacts and still achieves the purpose of the study.

COMMENTS

Volume 1, Section 5.8.2.2.2. Wetlands: This section of the DEIS states that “...*the hydrology of wetlands associated with the MKARNS may experience minor variations. Inundation of lower elevation wetlands and bottomland hardwoods may decrease in frequency, which could adversely impact these ecosystems.*” The Final EIS should more clearly evaluate these potential long-term, indirect, wetland functions and values impacted by the project. Consequently, please provide an explanation of the “no impact” conclusion under the wetlands heading in Table 8-1.

Volume 1, Section 5.8.2.2.3 Aquatic Resources - Rivers: The EIS should describe the mitigation requirements necessary to compensate for impacts to streams and surrounding riparian areas. Please identify in the Final EIS mitigation for these unavoidable impacts.

Volume 1, page 8-17, first paragraph: Since the proposed mitigation of forested hardwood consists of wetlands creation, the Final EIS should contain additional information on the wetlands mitigation plan, such as the proposed depth of created wetlands, the species to be planted, monitoring to be conducted, and the success criteria for a period of five years.